

Brunswick Planning Commission

Minutes

June 23, 2003

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Secretary Connie Koenig, Wayne Dougherty, and Ellis Burruss, Alternate

Mayor & Council Present: None.

Staff Present: City P & Z Administrator Rick Stup and County Planning Liaison Carole Larsen

Chairman Gladstone called the meeting to order at 7:00 PM.

Minutes

The minutes of May 19, 2003 meeting were reviewed and approved with minor corrections to be made by Staff. (MOTION by Ms. Koenig and seconded by Mr. Burrus, unanimously passed.)

Chairman

Mr. Gladstone requested an update on the H Street improvement issue. After status briefing by Mr. Stup and a lengthy Commission discussion, Mr. Burrus made a motion to permit Staff, if the Developer has not resolved the issue to Staff's satisfaction within the 30 days stated in the notice, to recommend to the Mayor & Council that the guarantee be called and the City complete the sidewalk and street work; Ms. Koenig seconded the motion, which passed unanimously. It was further stated that the annual election of officers would occur at the July 28, 2003 meeting.

Old Business

Zoning – Site Plans Public Improvement Plans

Stauffer Funeral Home Revised Improvement Plans – Request for Planning Commission Approval for a Revised SEC Plan for the vacant lot next to the funeral home, located on the east side of Maple Avenue, south of Souder Road. Zoning Classification: I-1, BR-SP-02-SEC-R

Staff Presentation and Recommendation

Mr. Stup presented the staff report for revised SEC Plan for the vacant lot next to funeral Home. He stated that Frederick County had approved the revisions as a Field Change but required a revised SEC Plan to be submitted for approval.

Mr. Stup answered questions with regard to the plan.

Staff Presentation and Recommendation Cont.

Staff recommended approval with the condition that SCD and County DPW approval of the Plan.

Applicant

None

Public Comment

None

Rebuttal

None

Decision

Mr. Krigbaum made a motion to approve the request in accordance with Staff Recommendation; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

New Business

Zoning – Site Plans

84 lumber Company Retail Facility – Request for site plan approval for a 12 acre +/- retail facility, located between the existing railroad tracks, south of Potomac Street, west of MD Route 17. Zoning Classification: I-2, BR-SP-03-03-SP

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the 12 acre +/- Lumber Retail Facility, which will require Planning Commission of the APFO prior to Site Plan Approval.

Staff recommends APFO approval subject to the following conditions:

1. Draft Developer's Option Letter to be finalized and executed prior to Site Plan Signature.
2. Developer's Letter of Understanding executed prior to Improvement Plan Approval.

Staff recommends conditional approval of the Site Plan subject to the following conditions:

1. BPc APFO approval.
2. Label County setbacks.

Staff Presentation and Recommendation Cont.

3. Add use note for area within County jurisdiction.
4. Submit Compaction Test for City review and approval.
5. Note on plan if and how sign is to be lighted.
6. Approved FSD/PFCP.
7. Execution of the Developer's Option Letter and Letter of Understanding prior to Improvement Plan approval.
8. Furnish City Traffic Engineer the requested additional TIS information.
9. Staff approval of Service Road Cross-section.
10. MTA/MARC approval of MARC Parking Lot Improvements.
11. Applicant's testimony.
12. Applicable agency comments.

Mr. Stup answered questions with regard to the application.

Applicant

Mr. Bruce Dean, McEvoy & Dean, presented the applicants case. He was accompanied by Christina Toras, Toras & Toras; Joe Caloggero, The Traffic Group; Chris Smariga, HSA and Dan Elmaleh, CSX. He concurred with the Staff Recommendation and addressed each comment and stated that FRO would be provided on CSX holdings. He further indicated that the operation was more of a distribution center than a retail center. Ms. Toras addressed concerns with regard to truck deliveries and indicated that they had some control over the scheduling which would be reviewed during the six-month period noted on the plan. Mr. Caloggero addressed the travel-way and TIS questions. Mr. Elmaleh clarified the multiple party agreements between CSX and the lessees. Ira Silverman, MTA/MARC entered their concerns and agreed that the issues would be worked out among the multiple parties with regard to the parking lot travel-way and re-alignments. He further indicated that MTA/MARC supported the project. It was the applicant's team agreement that if any significant changes occurred or couldn't be resolved that the issue would return to the Planning Commission for resolution.

Public Comment

Dr. Allgaier ask several general questions, which were answered by the Commission and Staff, and spoke in general favor of the project.

Rebuttal

None.

Decision

Mr. Burrus made a motion to approve the request in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Planning and Zoning Administrative Fee Schedule

Presentation and Recommendation

Mr. Stup presented the Revised Fee Schedule and the Staff Report. The proposed fee increase is to recover the 75% of the City's Staff review and 100% City Consultant costs for various submission reviews and processing.

Staff recommended approval of the Revised Fee Schedule and that the recommendation be forwarded to the Mayor and Council.

Mr. Stup answered Planning Commission questions with regard to impact on the general public and if that great of an increase was warranted.

Public Comment

None.

Decision

Mr. Krigbaum made a motion to approve the Revised Fee Schedule in accordance with Staff Recommendation and forward that recommendation to the Mayor and Council; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Zoning Ordinance Text Amendments

Presentation and Recommendation

Mr. Stup presented the Staff Report of required revision to delete the Current Fee Schedule as part of the Zoning Ordinance and also delete references to fees in various Articles in order to reference the new Fee Schedule. The specific Articles are as follows: 5.12, 6.5, 24.5 and 15.3.

Staff's Presentation and Recommendation Cont.

Staff recommended approval of the text amendments and that the recommendation be forwarded to the Mayor and Council.

Mr. Stup answered Planning Commission questions.

Public Comment

None.

Decision

Mr. Dougherty made a motion to approve the Zoning Ordinance Text Amendments in accordance with Staff Recommendation and forward that recommendation to the Mayor and Council; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Subdivision Regulation Text Amendments

Presentation and Recommendation

Mr. Stup presented the Staff Report of required revisions to delete current fees and reference the new Fee Schedule. Also included are some house keeping issues with regard to Preliminary Plan Approval Expiration, Final Plat Filing, Guarantees, Certifications and adds the Addition Plat, which was excluded from the last revision to the regulations. The specific Articles are as follows: 2.2, d; 2.4, B; 2.5, C; 6.3, B; 9; and new 6A.

Staff recommended approval of the text amendments and that the recommendation be forwarded to the Mayor and Council.

Mr. Stup answered Planning Commission questions.

Public Comment

None.

Decision

Mr. Burrus made a motion to approve the text amendments in accordance with Staff Recommendation and forward that recommendation to the Mayor and Council; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Street and Alley Inspection SOP

Review of Staff Draft Street and Alley Inspection Standard Operation Procedure for a recommendation to the Mayor and Council.

Presentation and Recommendation

Mr. Stup presented the Staff Report, which included Subdivision Construction Inspection Procedures, Roadway Utility Adjustment Inspection Procedures, Asphalt Testing

Staff's Presentation and Recommendation Cont.

Requirements Procedures, Subdivision Construction Inspection General Notes, Street Inspection Procedures and Placing Controlled Fill in Right-of-Way Requirements.

Staff recommended approval of the Staff Draft and that the recommendation be forwarded to the Mayor and Council.

Mr. Stup answered questions with regard to the various procedures.

Public Comment

None.

Decision

Mr. Krigbaum made a motion to approve the Street and Alley Inspection SOP in accordance with the Staff Recommendation and forward that recommendation to the Mayor and Council; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Public Comment

None.

Adjournment

The meeting was adjourned at 9:30 PM.

Respectfully submitted,

Connie Koenig, Secretary
Brunswick Planning Commission